

## PATENT COOPERATION TREATY

## PCT

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 2200075-WO0	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US03/36045	International filing date (day/month/year) 10 November 2003 (10.11.2003)	Priority date (day/month/year) 11 November 2002 (11.11.2002)
International Patent Classification (IPC) or national classification and IPC IPC(7): G06F 17/30 and US Cl.: 707/3		
Applicant TRANSPARENSEE SYSTEMS, INC.		
<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 1 sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of ___ sheets.</p> <p>3. This report contains indications relating to the following items:</p> <p>I <input checked="" type="checkbox"/> Basis of the report</p> <p>II <input type="checkbox"/> Priority</p> <p>III <input checked="" type="checkbox"/> Non-establishment of report with regard to novelty, inventive step and industrial applicability</p> <p>IV <input type="checkbox"/> Lack of unity of invention</p> <p>V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p>VI <input type="checkbox"/> Certain documents cited</p> <p>VII <input type="checkbox"/> Certain defects in the international application</p> <p>VIII <input checked="" type="checkbox"/> Certain observations on the international application</p>		
Date of submission of the demand 08 June 2004 (08.06.2004)	Date of completion of this report 11 April 2005 (11.04.2005)	
Name and mailing address of the IPEA/US Mail Stop PCT, Attn: IPEA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (703) 305-3230	Authorized officer GWEN LIANG Telephone No. 703-305-3900	

Form PCT/IPEA/409 (cover sheet)(July 1998)

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**I. Basis of the report****1. With regard to the elements of the international application:\***

- ☒ the international application as originally filed.
- ☒ the description:  
pages 1-35 as originally filed  
pages NONE, filed with the demand  
pages NONE, filed with the letter of \_\_\_\_\_.
- ☒ the claims:  
pages 36-41, as originally filed  
pages NONE, as amended (together with any statement) under Article 19  
pages NONE, filed with the demand  
pages NONE, filed with the letter of \_\_\_\_\_.
- ☒ the drawings:  
pages 1-31, as originally filed  
pages NONE, filed with the demand  
pages NONE, filed with the letter of \_\_\_\_\_.
- ☐ the sequence listing part of the description:  
pages NONE, as originally filed  
pages NONE, filed with the demand  
pages NONE, filed with the letter of \_\_\_\_\_.

**2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.**

These elements were available or furnished to this Authority in the following language \_\_\_\_\_ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

**3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:**

- ☐ contained in the international application in printed form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

**4. ☐ The amendments have resulted in the cancellation of:**

- ☐ the description, pages NONE
- ☐ the claims, Nos. NONE
- ☐ the drawings, sheets/fig NONE

**5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).\*\***

\* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

\*\* Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

**III. Non-establishment of opinion with regard to novelty, inventive step and industrial applicability**

1. The question whether the claimed invention appears to be novel, to involve an inventive step (to be non-obvious), or to be industrially applicable have not been and will not be examined in respect of:

- ☐ the entire international application,  
☒ claims Nos. 4,5,9-12,16-23 and 27

because:

- ☐ the said international application, or the said claim Nos. \_\_\_\_\_ relate to the following subject matter which does not require international preliminary examination (*specify*):

- ☒ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. 4,5,9-12,16-23 and 27 are so unclear that no meaningful opinion could be formed (*specify*):

Claims 4, 5, 9-12, 16-23, 27 are dependent claims and are not drafted in accordance with the second and third sentences of rule 6.4(a). Multiple dependent claims may not depend on another multiple dependent claim.

- ☐ the claims, or said claims Nos. \_\_\_\_\_ are so inadequately supported by the description that no meaningful opinion could be formed.

- ☒ no international search report has been established for said claims Nos. 4, 5, 9-12, 16-23 and 27

2. A meaningful international preliminary examination cannot be carried out due to the failure of the nucleotide and/or amino acid sequence listing to comply with the standard provided for in Annex C of the Administrative Instructions:

- ☐ the written form has not been furnished or does not comply with the standard.  
☐ the computer readable form has not been furnished or does not comply with the standard.

**V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****1. STATEMENT**

Novelty (N)

Claims NONE YESClaims 1-3, 6-8, 13-15, 24-26 NO

Inventive Step (IS)

Claims NONE YESClaims 1-3, 6-8, 13-15, 24-26 NO

Industrial Applicability (IA)

Claims 1-3, 6-8, 13-15, 24-26 YESClaims NONE NO**2. CITATIONS AND EXPLANATIONS**

Please See Continuation Sheet

**VIII. Certain observations on the international application**

The following observations on the clarity of the claims, description, and drawings or on the questions whether the claims are fully supported by the description, are made:

The drawings are objected to under PCT Rule 66.2(a)(v) as lacking clarity under PCT Article 7 because: Figures 28 and 29 are missing.

Claims 4, 5, 9-12, 16-23, 27 are objected to under PCT Rule 66.2(a)(v) as lacking clarity under PCT Article 6 because claims 4, 5, 9-12, 16-23, 27 are indefinite for the following reason(s): These claims are dependent claims and are not drafted in accordance with the second and third sentences of rule 6.4(a). Multiple dependent claims may not depend on another multiple dependent claim.

**Supplemental Box**

(To be used when the space in any of the preceding boxes is not sufficient)

**V. 2. Citations and Explanations:**

1. Claims 1-3, 6-8 lack an inventive step under PCT Article 33(3) as being obvious over Snow et al., "Snow" (U.S. Patent No. 6,098,066) in view of Talib et al., "Talib" (U.S. Publication No. 2001/0049677).

With respect to claim 1, Snow discloses a method ...comprising the steps of:  
maintaining a structure database in computer storage in which each record is parsed into a plurality of categories, each category having at least one sub-category, the sub-categories being structured in at least one sub-level based upon a relationship between the information in sub-categories, the structure database containing category structure information defining the data structure of each category (See for example: Abstract, "A method for searching a document directory hierarchy which partitions a user-initiated search. The document directory hierarchy comprises a plurality of document directories stored in a tree data structure. Each of the plurality of document directories corresponds to a category within a class hierarchy and stores at least one document.");

receiving a search query containing a subset of the categories contained in a record, which subset may include all of the categories, the query containing selection information indicating those sub-categories that should be present in records being sought by the query (See for example: Abstract "A user query comprising one or more search terms is accepted from an input device. If the user query includes a user-selected category, a directed search is performed.");

for categories present in the query subset, performing a correlation between the selection information and information from the structure database representing the Subcategory structure in a subset of the records, which subset may contain all of the records, to produce a relevance value for a record; and as a response to the query, selecting information from records in the content database based upon the relevance value of the records (See for example: Abstract, "The directed search confines the search to one of the plurality of document directories corresponding to the user-selected category, and returns relevant documents within the user-selected category.");

However Snow does not explicitly disclose multiple fields of information contained in a record parsed into a plurality of categories.

Talib discloses a record parsed into a plurality of categories containing multiple fields of information (See for example: col. 4 section [0043], "wherein the entries correspond to at least one of the at least two taxonomies and also correspond to at least one of the at least two categories", wherein the taxonomies are equivalent to fields).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate a structure of multiple fields of information as disclosed by Talib into the structure of a record parsed into a plurality of categories as disclosed in Snow to allow a search engine to be configured to search based on the taxonomies and based on the categories (See for example: col. 4 section [0043]). One of ordinary skill in the art would be motivated to make the aforementioned combination with reasonable expectation of success.

Claim 2 is rejected for the reasons set forth hereinabove for claim 1 and furthermore Snow discloses a method wherein the correlation step is performed by correlating selection information for a chosen category with information from the structure database representing the sub-category structure of the same category in a subset of the records, which subset may contain all of the records, to produce a relevance value for the chosen category in each record of the subset, this

**Supplemental Box**

(To be used when the space in any of the preceding boxes is not sufficient)

correlating step being performed for a plurality of chosen categories; and, for a record, combining the relevance values of the plurality of chosen categories to produce a relevance value for the record (See for example: Abstract, "The directed search confines the search to one of the plurality of document directories corresponding to the user-selected category, and returns relevant documents within the user-selected category. The undirected search is performed within each of the plurality of document directories within the document directory hierarchy, and returns relevant categories corresponding to document directories within the document directory hierarchy.").

Claim 3 is rejected for the reasons set forth hereinabove for any preceding claim and furthermore Ginn discloses a method wherein the correlating step is different for two categories that have different data structures (See for example: Abstract, "The directed search confines the search to one of the plurality of document directories corresponding to the user-selected category, and returns relevant documents within the user-selected category. The undirected search is performed within each of the plurality of document directories within the document directory hierarchy, and returns relevant categories corresponding to document directories within the document directory hierarchy.").

Claims 6-8 are rejected on grounds corresponding to the reasons given above for claims 1-3.

2. Claims 13-15, 24-26 lack an inventive step under PCT Article 33(3) as being obvious over Ginn (U.S. Patent No. 6,275,811) in view of Knepfle et al., "Knepfle" (W.O. No. 01/61601).

With respect to claim 13, Ginn discloses an improvement over an online user forum ...comprising:  
a reputation module storing a reputation rating for a user in association with information content (See for example: col. 9 lines 65-67, "One variation is to track the reputation of individual authors, and assign further writings from those authors a preliminary rating based upon that reputation.").

However Ginn does not explicitly disclose a user's reputation being a function of the degree his participation in the forum.

Knepfle discloses a user's reputation being a function of the degree his participation in the forum (See for example: page 2, "Feedback ratings provide a good mechanism for indicating a level of indicating a user's trustworthiness or past participation within an electronic commerce forum.").

It would have been obvious to one having ordinary skill in the art at the time the invention was made to determine a user's reputation by using a function of the degree his participation in the forum as disclosed by Knepfle in the reputation module as disclosed in Ginn to provide a good mechanism for indicating a level of user's trustworthiness (See for example: page 2). One of ordinary skill in the art would be motivated to make the aforementioned combination with reasonable expectation of success.

Claim 14 is rejected for the reasons set forth hereinabove for claim 13 and furthermore Ginn discloses a forum wherein the reputation module is constructed so that a first user's reputation rating is dependent upon the evaluation by other users of the information posted by the first user (See for example: Abstract, "In one embodiment, the system and method use user feedback to selectively recommend messages in an electronic bulletin board system. In this embodiment, each user acknowledges positive contributive messages authored by other users ... To the extent that the author's message is well received, the system acknowledges the author by awarding points to the author.").

Claim 15 is rejected for the reasons set forth hereinabove for claim 13 or 14 and furthermore Ginn discloses a forum wherein the reputation module is constructed so that a first user's reputation rating is dependent upon his evaluation of information posted by other users (See for example: Abstract, "The system and method facilitate such user feedback. In one embodiment, the system and method use user feedback to selectively recommend messages in an electronic bulletin board system. In this embodiment, each user acknowledges positive contributive messages authored by other users. The system validates the acknowledgment by checking its consistency with feedback on the same message received from other users. If the acknowledgment is determined to be valid, the system acknowledges the user supplying feedback by awarding value units (points) to the user.").

Claims 24-26 are rejected on grounds corresponding to the reasons given above for claims 13-15.

3. Claims 1-3, 6-8, 13-15, 24-26 meet industrial applicability requirements because the method can be applied to information search and distribution.

**Response to Arguments**

Applicant's arguments filed on 19 November 2004 regarding that an amendment in this application was filed on 30 August 2004, which contained claims 1-58 and that the Written Opinion was not established with respect to the application as it existed on the date of the Opinion, but on less than half the claims, have been fully considered but they are not persuasive. So far, there has been no record of an entry on the amendment filed on 8/30/04 as asserted by the applicant. Therefore, the Written Opinion (408) and this IPER (409) have been issued based on the originally filed application and are both deemed appropriate.

Applicant's arguments regarding claims 1 and 6 that there is not the slightest suggestion for performing any type of

**Supplemental Box**

(To be used when the space in any of the preceding boxes is not sufficient)

correlation (taught in the combination of Snow and Talib), have been fully considered but they are not persuasive. As reasons stated for claim 1 in this office action, Snow teaches in Abstract, "The directed search confines the search to one of the plurality of document directories corresponding to the user-selected category, and returns relevant documents within the user-selected category", wherein the correlation between the selection information (in the directed search) and the structure database representing the subcategory structure (i.e. the plurality of document directories corresponding to the user-selected category) is obvious in order for the relevant documents within the user-selected category to be returned. Therefore the Examiner maintains that the combination of Snow and Talib does teach the step of performing a correlation as claimed.

Applicant's arguments regarding claims 13-15 and 14-26 that there would be absolutely no justification for combining Knepfle with Ginn, have been fully considered but they are not persuasive. As reasons stated for claim 13 in this office action, the motivation of combining Knepfle with Ginn is to provide a good mechanism for indicating a level of user's trustworthiness (Knepfle, page 2). The individual authors taught in Ginn are also users, whose reputations are being tracked and Knepfle teaches that a user's reputation is indicated by his feedback rating, which indicates a level of a user's trustworthiness or a user's past participation within an electronic commerce forum. Therefore the Examiner maintains that one of ordinary skill in the art would be motivated to make the aforementioned combination with reasonable expectation of success.